

## REMARKS

Claims 1-12 and 14-20 are pending in the application.


The present invention is directed to a method and system for facilitating ordering of merchandise over a communication network among a plurality of merchant providers from a plurality of order terminals wherein the order terminals have a business relationship with one of a plurality of business entities. Referring to Figure 1 of the present invention, items 15, 17, 19, 21 and 23 illustrate various merchant providers, whereas reference numerals 81, 83, 85, 87 refer to different business entities. In addition, a service manager 12 is provided wherein all of the business entities, merchandise providers and service managers communicate. The service manager 12 maintains information with respect to business relationships between the business entities 81, 83, 85 and 87 and merchandise providers 15, 17, 19, 21 and 23. The offerings provided at each of the order terminals at the business entities in the present invention are based on particular business relationships that have been established with one or more of the business entities. For example, depending on the particular business relationship that any of the particular business entities has with respect to the various merchandise provider, this will determine what is being displayed at the order terminal. This is in contrast to the cited '504 to Arnold reference wherein it is the virtual outlet (VO) that determines what is shown. In particular, the virtual outlet has no particular relationship other than an agreement with the merchandisers to illustrate the goods and services to a viewing customer. The customer, in the '504 patent corresponds to the business entity in the present invention where the order terminal is located. Arnold does not teach or suggest that there is any business relationship between the customer and a merchandise provider as taught and claimed by Applicants. Since the Arnold reference is directed to receiving orders from a variety of different customers, there is no teaching or suggestion that there would be any type of business relationship between the ordering terminal and the merchandise provider. In the '504 patent, the customer can link through the VO web page directly to the merchant web page for the purpose of obtaining more detailed information about the product after ordering the products. There is no relationship in the '504 reference between the customer (where the order terminal is placed) and that of the image provider as

taught and claimed by Applicants. Accordingly, it is respectfully submitted that the '504 reference is of little relevance to the present invention. Thus, it is respectfully submitted that claims 1-5, 8-12, 14-15 and 18-20 are not disclosed or rendered obvious in view of the cited Arnold reference.

The Examiner has also rejected dependent claims 6-7 and 16-17 under 35 USC § 103(a) as being unpatentable over Arnold in view of U.S. patent 5,950,173 to Perkowski for reasons set forth therein. Since these are dependent claims they are patentably distinct for the same reasons previously discussed. The Perowski reference does not teach anything which would render the independent claims upon which these claims depend at least ultimately.

In view of the foregoing it is respectfully submitted that the claims in the present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,

  
Attorney for Applicant(s)  
Registration No. 27,370

Frank Pincelli/phw  
Rochester, NY 14650  
Telephone: 585-588-2768  
Facsimile: 585-477-4646